



Attorney Docket: 00025.04CON

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Joshua D. Rabinowitz, et al. ) Examiner: M. Haghigian  
Serial No.: 10/766,647 )  
Filing Date: January 27, 2004 ) Group Art Unit: 1616  
For: DELIVERY OF ANALGESICS ) Confirmation No.: 3966  
THROUGH AN INHALATION ROUTE )  
)

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

\

**PETITION TO RESUBMIT TERMINAL DISCLAIMER**  
**37 C.F.R. 1.182**

This petition is respectfully submitted to request resubmission of the attached Terminal Disclaimer previously submitted in the above-captioned patent application.

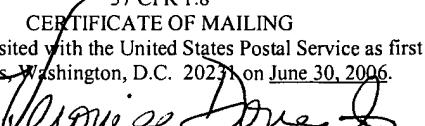
STATEMENT OF FACTS

The above-captioned application was filed on January 27, 2004. On September 22, 2005, Applicant submitted the following documents in connection with the above-referenced application:

	<b>Fee Enclosed (if any)</b>
1. Petition for Extension of Time	\$510.00
2. Terminal Disclaimer (USSN 10/735,497)	\$65.00
3. Terminal Disclaimer (USSN 10/735,199)	\$65.00
4. Terminal Disclaimer (USSN 10/718,982)	\$65.00
5. Terminal Disclaimer (USPN 6,716,417)	\$65.00
6. Terminal Disclaimer (USPN 6,855,310)	\$65.00
7. Response to Office Action Under 37 C.F.R. §1.111	\$0.00
8. Patent Application Fee Determination Record	\$500.00
9. Information Disclosure Statement	\$180.00
10. Check in the amount of:	\$1515.00

37 CFR 1.8  
CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Petition, Assistant Commissioner for Patents, Washington, D.C. 20231 on June 30, 2006.

Signature:   
Name: Veronica Doucet

The Return Receipt Postcard was date-stamped by OIPE on September 26, 2005 indicating all the documents were received (see attached). However, as a customary practice by our office and in a thorough review of our file prior to the issuance date of July 4, Applicant was not able to locate a copy of Terminal Disclaimer (USPN 6,855,310) as submitted. A search of the U.S. Patent Office Private Pair record showed only four Terminal Disclaimers were entered.

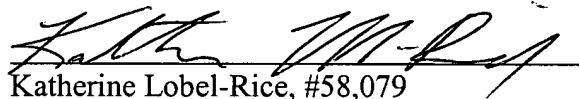
Although the Return Receipt Postcard indicated all documents were received, Applicant petitions to resubmit the executed Terminal Disclaimer attached.

On the basis of the foregoing, Applicant respectfully requests that the executed Terminal Disclaimer be resubmitted and made part of the application record as discussed above.

PETITION FEE

I hereby authorize the Petition fee in the amount of \$130.00 as enclosed herewith. The undersigned hereby authorizes the charge of any required fees not included or any deficiency of fees submitted herewith to be charged to deposit account No. 19-5117.

Respectfully submitted,



Katherine Lobel-Rice, #58,079  
Swanson & Bratschun, L.L.C.  
1745 Shea Center Drive, Suite 330  
Highlands Ranch, Colorado 80129  
(303) 268-0066